

SENATE BILL 1735

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 4,
relative to recognition of Native American Indian
Tribes, Bands, Groups and Associations.

WHEREAS, The original inhabitants of North and South America were peoples who became known to European immigrants as Indians and, therefore, the original inhabitants of this state were members of various tribes of American Indians; and

WHEREAS, These tribes have strongly influenced the heritage of this great State and have left their mark by way of names of rivers, mountains, towns, and counties, by introducing local crops and medicinal herbs, and in countless other ways; and

WHEREAS, The Native American Indian culture in all its forms is manifested by the year-round Powwows and Festivals held across the country and the completion of the National Museum of the American Indian in the Smithsonian complex in Washington, D.C.; and

WHEREAS, This has been further manifested within the surrounding states of Virginia, North Carolina, South Carolina, Georgia and Alabama, which have given recognition to Native American Indian Tribes, Bands, Groups and Associations within their borders; and

WHEREAS, The struggles of the Native American Indian Peoples, including physical confinement, separation of families, suppression of language, traditions and culture as well as pervasive restrictions on arts, crafts, industry and agriculture, have contributed to an economic disadvantage with which the Native American Indian People still contend; and

WHEREAS, There is an economic benefit to the particular communities wherein the Native American Indians reside because of the ability of Native American Indians to impact positively tourist development, jobs, new economic development incentives, new health care

opportunities, new education opportunities and to remove current barriers for Native American Indian Artists and Craft Persons to expand their trade in compliance with Federal law; and

WHEREAS, Attorney General's Opinion No. 07-21 of 27 February 2007, stated:

"Congress has acknowledged that state governments have the authority to recognize Indian tribes."

"States have the authority to recognize Indian tribes as long as there is no conflict with federal laws. There is no conflict between Tennessee's recognition law and federal laws."; and

WHEREAS, The Tennessee Legislature possesses the power to recognize Indian tribes, bands, groups, and Indian associations; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding Sections 2 through 4 as a new chapter thereto.

SECTION 2. The general assembly hereby extends state recognition with full legal rights and protections to certain Indian-descended entities that have functioned in specific ways over time.

SECTION 3. An Indian tribe, band, or group is a population of people related to one another by blood through their Native American Indian ancestry and tracing their heritage to a Native American Indian tribe, band, or group indigenous to Tennessee.

SECTION 4. The general assembly recognizes, for purposes of state Native American Indian recognition with full legal rights and protections, the Remnant Yuchi Nation in the counties of Sullivan, Carter, Greene, Hawkins, Unicoi, Johnson, and Washington.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.